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ORDINANCE 2016 – 16

AN ORDINANCE OF THE COUNTY COMMISSION OF LAKE COUNTY, FLORIDA, ESTABLISHING THE AVALON GROVES COMMUNITY DEVELOPMENT DISTRICT, AND AMENDING CHAPTER 20, LAKE COUNTY CODE, ENTITLED “SPECIAL DISTRICTS”, SECTION 20-1, ENTITLED “ORDINANCES ADOPTED BY REFERENCE”, TO INCORPORATE THIS ORDINANCE ESTABLISHING THE AVALON GROVES COMMUNITY DEVELOPMENT DISTRICT INTO THE LIST AS ITEM NUMBER 20; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; GRANTING THE DISTRICT POWERS UNDER SECTION 190.012(1), FLORIDA STATUTES (2015); NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Kolter Acquisitions, LLC (“Petitioner”), has petitioned the Board of County Commissioners of Lake County, Florida (“Board”), a political subdivision of the State of Florida, to adopt an ordinance establishing the Avalon Groves Community Development District (“District”), pursuant to Chapter 190, Florida Statutes (2015); and

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida; and

AN ORDINANCE OF THE COUNTY COMMISSION OF LAKE COUNTY, FLORIDA, ESTABLISHING THE AVALON GROVES COMMUNITY DEVELOPMENT DISTRICT, AND AMENDING CHAPTER 20, LAKE COUNTY CODE, ENTITLED "SPECIAL DISTRICTS", SECTION 20-1, ENTITLED "ORDINANCES ADOPTED BY REFERENCE", TO INCORPORATE THIS ORDINANCE ESTABLISHING THE AVALON GROVES COMMUNITY DEVELOPMENT DISTRICT INTO THE LIST AS ITEM NUMBER 20; NAMING THE DISTRICT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; GRANTING THE DISTRICT POWERS UNDER SECTION 190.012(1), FLORIDA STATUTES (2015); NAMING THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Petitioner is a Florida limited liability company authorized to conduct business in the State of Florida; and

1 **WHEREAS**, all interested persons and affected units of general-purpose local government
2 were afforded an opportunity to present oral and written comments on the Petition at a duly
3 noticed public hearing conducted by the Board on April 19, 2016; and

4 **WHEREAS**, upon consideration of the record established at that hearing, the Board
5 determined that the statements within the Petition were true and correct, that the establishment of
6 the District is not inconsistent with any applicable element or portion of the state comprehensive
7 plan or the Lake County Comprehensive Plan, that the land within the District is of sufficient
8 size, is sufficiently compact, and sufficiently contiguous to be developable as a functionally
9 interrelated community, that the District is the best alternative available for delivering
10 community development services and facilities to the area served by the District, that the
11 services and facilities of the District will not be incompatible with the capacity and uses of
12 existing local and regional community development services and facilities, and that the area to be
13 served by the District is amenable to separate special-district governance; and

14 **WHEREAS**, establishment of the District will constitute a timely, efficient, effective,
15 responsive and economic way to deliver community development services in the area described
16 in the Petition.

17 **NOW, THEREFORE, BE IT ORDAINED BY THE LAKE COUNTY**
18 **BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY,**
19 **FLORIDA, THAT:**
20

21 **SECTION 1. RECITALS.** The foregoing recitals are true and correct and incorporated
22 herein by reference.

23 **SECTION 2. AUTHORITY.** This ordinance is adopted in compliance with and pursuant
24 to the Uniform Community Development District Act of 1980, Chapter 190, Florida Statutes
25 (2015).

1 **SECTION 3. DISTRICT NAME.** There is hereby created a community development
2 district situated entirely within unincorporated Lake County, Florida, which shall be known as
3 the “Avalon Groves Community Development District.”

4 **SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT.** Encompassing approximately
5 971.265 acres of land more or less, the District’s external boundaries are described in **Exhibit A**,
6 attached hereto and incorporated herein.

7 **SECTION 5. FUNCTIONS AND POWERS.** The powers and functions of the District shall
8 be those described in Section 190.012(1), Florida Statutes (2015). Consent is also hereby given
9 to the District’s Board of Supervisors to plan, establish, acquire, construct or reconstruct, enlarge
10 or extend, equip, operate, and maintain systems and facilities described and authorized by
11 Section 190.012(2)(a),(d) and (f), Florida Statutes (2015), regarding parks and recreational uses,
12 security systems, and waste collection and disposal.

13 **SECTION 6. BOARD OF SUPERVISORS.** The five persons designated to serve as initial
14 members of the District's Board of Supervisors are as follows: James P. Harvey, Greg Meath,
15 David Langhout, Troy Simpson and Bradley Walker.

16 All of the above-listed persons are residents of the state of Florida and citizens of the
17 United States of America.

18 **SECTION 7. SEVERABILITY.** If any provision of this ordinance is held to be illegal or
19 invalid, the other provisions shall remain in full force and effect.

20 **SECTION 8. INCLUSION IN THE CODE.** It is the intent of the Board of County
21 Commissioners that the provisions of this Ordinance shall become and be made a part of the
22 Lake County Code as Item Number 20 in the list contained in Chapter 20, Lake County Code,
23 entitled “Special Districts”, Section 20-1, entitled “Ordinances Adopted by Reference”, and that

the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 9. FILING WITH THE DEPARTMENT OF STATE. The clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

SECTION 10. EFFECTIVE DATE. This Ordinance shall take effect as provided by law.

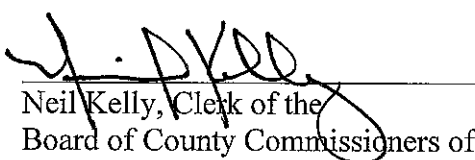
ENACTED this day of 19th day of April, 2016.

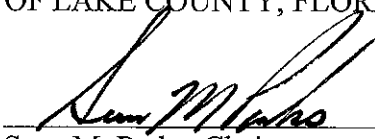
FILED with the Secretary of State the 27th day of April, 2016.

EFFECTIVE April 27, 2016.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA


Neil Kelly, Clerk of the
Board of County Commissioners of
Lake County, Florida


Sean M. Parks, Chairman

This 22nd day of April, 2016.

Approved as to form and legality:

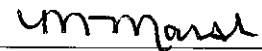

Melanie Marsh, Lake County Attorney

EXHIBIT A

External Boundaries of the Avalon Groves Community Development District

AVALON GROVES LEGAL DESCRIPTION

A PORTION OF SECTIONS 13, 14, 23 AND 24, TOWNSHIP 24 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4; THENCE ALONG THE NORTH LINE OF SAID SECTION 13 SOUTH 89°52'45" WEST, A DISTANCE OF 1,324.37 FEET; THENCE CONTINUE ALONG SAID NORTH SECTION LINE SOUTH 89°54'03" WEST, A DISTANCE OF 1,312.89 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 13; THENCE DEPARTING SAID NORTH LINE RUN SOUTH 00°16'10" WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 1,327.17 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH 89°53'50" WEST ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4, A DISTANCE OF 1,313.39 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 00°17'28" WEST ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 1,327.26 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 13; THENCE DEPARTING SAID WEST SECTION LINE, NORTH 89°53'37" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 656.95 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 00°17'48" WEST, A DISTANCE OF 1,326.10 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°54'57" WEST ALONG SAID NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4, A DISTANCE OF 657.32 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 1/2 OF THE SOUTHWEST 1/4; THENCE SOUTH 00°18'46" WEST ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 331.46 FEET; THENCE DEPARTING SAID WEST SECTION LINE, SOUTH 89°54'36" WEST, A DISTANCE OF 662.10 FEET; THENCE SOUTH 56°20'32" WEST, A DISTANCE OF 1,199.50 FEET; THENCE SOUTH 00°27'18" WEST, A DISTANCE OF 331.63 FEET; THENCE SOUTH 44°59'28" EAST, A DISTANCE OF 467.77 FEET; THENCE NORTH 89°53'36" EAST, A DISTANCE OF 1,326.15 FEET TO A POINT ON THE WEST LINE OF THE AFOREMENTIONED SECTION 24; THENCE SOUTH 00°08'53" WEST ALONG SAID WEST LINE OF SECTION 24, A DISTANCE 2,320.13 FEET; TO THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 24; THENCE CONTINUE ALONG SAID WEST LINE SOUTH 00°12'02" WEST, A DISTANCE OF 1,326.04 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 24; THENCE NORTH 89°58'40"

EAST ALONG THE SOUTH LINE OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 24, A DISTANCE OF 3,588.07 FEET TO THE SE CORNER OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 24; THENCE NORTH 00°12'49" EAST ALONG THE EAST LINE OF SAID SECTION 24, A DISTANCE OF 1324.98 FEET TO THE NORTHEAST CORNER OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SAID SECTION 24; THENCE CONTINUE ALONG SAID EAST LINE NORTH 00°07'27" EAST, A DISTANCE OF 2,655.60 FEET TO THE NORTH EAST CORNER OF SAID SECTION 24, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF AFOREMENTIONED SECTION 13; THENCE NORTH 00°07'04" EAST ALONG THE EAST LINE OF SAID SECTION 13, A DISTANCE OF 664.09 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°56'13" WEST ALONG THE NORTH LINE OF THE SOUTH 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 13, A DISTANCE OF 2,646.79 FEET TO THE NORTHWEST CORNER OF SAID SOUTH 1/4 OF THE SOUTHEAST 1/4; THENCE NORTH 00°14'52" EAST ALONG THE WEST LINE OF SAID SOUTHEAST 1/4 OF SECTION 13, A DISTANCE OF 1,326.86 FEET TO THE SOUTHWEST CORNER OF THE NORTH 1/4 OF THE SOUTHEAST 1/4; THENCE NORTH 89°54'29" EAST ALONG THE SOUTH LINE OF SAID NORTH 1/4 OF THE SOUTHEAST 1/4, A DISTANCE OF 2,643.79 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 13; THENCE NORTH 00°07'04" EAST ALONG SAID EAST LINE, A DISTANCE OF 664.09 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 13, THENCE CONTINUE ALONG SAID EAST LINE NORTH 00°23'14" EAST, A DISTANCE OF 1,327.44 FEET TO THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE NORTHEAST 1/4; THENCE SOUTH 89°53'11" WEST ALONG THE NORTH LINE OF SAID SOUTH 1/2 OF THE NORTHEAST 1/4, A DISTANCE OF 1,322.75 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID NORTHEAST 1/4; THENCE NORTH 00°19'03" EAST ALONG THE EAST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1,327.26 FEET TO THE POINT OF BEGINNING.

AND LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

A PARCEL OF LAND LYING IN SECTION 13, TOWNSHIP 24 SOUTH, RANGE 26 EAST OF LAKE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°53'37" EAST ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 777.95 FEET; THENCE DEPARTING SAID SOUTH LINE RUN SOUTH 00°17'48" WEST, A DISTANCE OF 110.85 FEET FOR POINT OF BEGINNING; THENCE SOUTH 89°58'50" EAST, A DISTANCE OF 250.01 FEET; THENCE NORTH 65°06'51" EAST, A DISTANCE OF 95.33 FEET; THENCE SOUTH 78°01'53" EAST, A DISTANCE OF 56.01 FEET; THENCE NORTH 89°18'54" EAST, A DISTANCE OF 77.65

1 FEET; THENCE SOUTH 87°09'49" EAST, A DISTANCE OF 100.82 FEET; THENCE
 2 NORTH 46°37'36" EAST, A DISTANCE OF 114.82 FEET; THENCE NORTH 34°40'21"
 3 EAST, A DISTANCE OF 91.81 FEET; THENCE NORTH 67°21'15" EAST, A DISTANCE
 4 OF 60.77 FEET; THENCE SOUTH 81°13'17" EAST, A DISTANCE OF 50.28 FEET;
 5 THENCE SOUTH 88°00'55" EAST, A DISTANCE OF 54.43 FEET; THENCE SOUTH
 6 64°02'06" EAST, A DISTANCE OF 45.70 FEET; THENCE SOUTH 24°06'31" EAST, A
 7 DISTANCE OF 35.19 FEET; THENCE SOUTH 06°59'09" WEST, A DISTANCE OF
 8 65.52 FEET; THENCE SOUTH 49°33'12" EAST, A DISTANCE OF 87.21 FEET;
 9 THENCE NORTH 41°14'49" EAST, A DISTANCE OF 85.95 FEET; THENCE NORTH
 10 13°08'54" EAST, A DISTANCE OF 53.78 FEET; THENCE NORTH 05°29'09" WEST, A
 11 DISTANCE OF 58.52 FEET; THENCE NORTH 43°44'02" EAST, A DISTANCE OF 75.29
 12 FEET; THENCE NORTH 70°43'41" EAST, A DISTANCE OF 47.64 FEET; THENCE
 13 SOUTH 48°10'15" EAST, A DISTANCE OF 45.62 FEET; THENCE SOUTH 09°01'01"
 14 EAST, A DISTANCE OF 54.75 FEET; THENCE SOUTH 00°34'10" WEST, A DISTANCE
 15 OF 37.88 FEET; THENCE SOUTH 04°40'19" EAST, A DISTANCE OF 58.91 FEET;
 16 THENCE SOUTH 06°45'16" EAST, A DISTANCE OF 62.02 FEET; THENCE SOUTH
 17 10°11'12" WEST, A DISTANCE OF 69.14 FEET; THENCE SOUTH 20°28'58" WEST, A
 18 DISTANCE OF 44.59 FEET; THENCE SOUTH 23°16'19" WEST, A DISTANCE OF
 19 64.98 FEET; THENCE SOUTH 28°37'17" WEST, A DISTANCE OF 107.79 FEET;
 20 THENCE SOUTH 59°17'35" WEST, A DISTANCE OF 63.78 FEET; THENCE SOUTH
 21 64°21'03" WEST, A DISTANCE OF 67.33 FEET; THENCE NORTH 88°02'19" WEST, A
 22 DISTANCE OF 54.87 FEET; THENCE NORTH 85°21'17" WEST, A DISTANCE OF
 23 35.91 FEET; THENCE NORTH 60°11'01" WEST, A DISTANCE OF 63.37 FEET;
 24 THENCE NORTH 30°11'30" WEST, A DISTANCE OF 64.34 FEET; THENCE NORTH
 25 59°53'02" WEST, A DISTANCE OF 42.08 FEET; THENCE NORTH 22°41'12" WEST, A
 26 DISTANCE OF 55.08 FEET; THENCE SOUTH 70°31'53" WEST, A DISTANCE OF
 27 85.77 FEET; THENCE SOUTH 00°05'55" EAST, A DISTANCE OF 60.02 FEET;
 28 THENCE SOUTH 07°47'15" WEST, A DISTANCE OF 40.56 FEET; THENCE SOUTH
 29 31°49'58" WEST, A DISTANCE OF 52.27 FEET; THENCE SOUTH 26°00'27" WEST, A
 30 DISTANCE OF 52.65 FEET; THENCE SOUTH 05°03'54" EAST, A DISTANCE OF 58.32
 31 FEET; THENCE SOUTH 00°20'40" EAST, A DISTANCE OF 57.90 FEET; THENCE
 32 SOUTH 34°42'49" WEST, A DISTANCE OF 53.19 FEET; THENCE SOUTH 26°17'01"
 33 WEST, A DISTANCE OF 64.58 FEET; THENCE SOUTH 31°22'56" WEST, A DISTANCE
 34 OF 53.95 FEET; THENCE SOUTH 14°27'02" EAST, A DISTANCE OF 53.70 FEET;
 35 THENCE SOUTH 13°30'14" EAST, A DISTANCE OF 33.14 FEET; THENCE SOUTH
 36 45°17'48" WEST, A DISTANCE OF 186.44 FEET; THENCE NORTH 44°42'12" WEST, A
 37 DISTANCE OF 316.25 FEET TO A POINT ON A CURVE CONCAVE
 38 NORTHEASTERLY HAVING A RADIUS OF 644.00 FEET, A CENTRAL ANGLE OF
 39 45°00'00" AND A CHORD DISTANCE 492.90 FEET WHICH BEARS NORTH 22°12'12"
 40 WEST; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A
 41 DISTANCE OF 505.80 FEET TO A POINT ON SAID CURVE; THENCE DEPARTING
 42 SAID CURVE RUN NORTH 00°17'48" EAST, A DISTANCE OF 158.94 FEET TO THE
 43 POINT OF BEGINNING.

44
45 CONTAINING 42,308,303 SQUARE FEET OR 971.265 ACRES, MORE OR LESS.